

PROB 12C
(6/16)

Report Date: March 3, 2023

United States District CourtFILED IN THE
U.S. DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

for the

Mar 06, 2023**Eastern District of Washington**

SEAN F. MCAVOY, CLERK

Petition for Warrant or Summons for Offender Under Supervision

Name of Offender: Daniel Pena

Case Number: 0980 2:21CR00169-TOR-1

Address of Offender: [REDACTED] Spokane, Washington 99201

Name of Sentencing Judicial Officer: The Honorable Edward J. Lodge, U.S. District Judge

Name of Supervising Judicial Officer: The Honorable Thomas O. Rice, U.S. District Judge

Date of Original Sentence: April 17, 2012

Original Offense: Possession and Discharge of a Firearm in Furtherance of Drug Trafficking Crime, 18 U.S.C. § 924(c)(1)(A)(iii); Conspiracy to Distribute Methamphetamine, 21 U.S.C. § 841(a)(1) & (b)(1)(B);

Original Sentence: Prison - 156 months; Type of Supervision: Supervised Release
TSR - 120 months

Asst. U.S. Attorney: Patrick J. Cashman Date Supervision Commenced: September 22, 2021

Defense Attorney: Carter Liam Powers Beggs Date Supervision Expires: September 21, 2031

PETITIONING THE COURT

To incorporate the violation(s) contained in this petition in future proceedings with the violation(s) previously reported to the Court on 11/14/2022.

On October 7, 2021, the undersigned officer reviewed a copy of the conditions of supervision with Mr. Pena as outlined in the judgment and sentence. Mr. Pena signed his judgment acknowledging an understanding of those conditions.

The probation officer believes that the offender has violated the following condition(s) of supervision:

<u>Violation Number</u>	<u>Nature of Noncompliance</u>
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2	<p><u>Mandatory Condition #3:</u> The defendant shall not unlawfully possess a controlled substance and shall refrain from any unlawful use of a controlled substance. The defendant shall submit to one drug test within 15 days of release on supervision and to a maximum of five (5) periodic drug tests a month thereafter for the term of supervision as directed by the probation officer. Cost to be paid by both the defendant and the government based upon the defendant's ability to pay.</p>
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Supporting Evidence: It is alleged that Mr. Pena violated the above-stated condition of supervision by consuming methamphetamine, an illegal controlled substance, on or about February 25 through 27, 2023. Mr. Pena reported to the U.S. Probation Office and submitted a urine sample that tested presumptive positive for methamphetamine. Additionally, Mr.

Prob12C

Re: Pena, Daniel

March 3, 2023

Page 2

Pena signed an admission of drug use form and spoke with the undersigned officer in detail about his methamphetamine consumption.

The U.S. Probation Office respectfully recommends the Court to incorporate the violation(s) contained in this petition in future proceedings with the violation(s) previously reported to the Court.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on: March 3, 2023

s/Mark E. Hedge

Mark E. Hedge

U.S. Probation Officer

THE COURT ORDERS

- ☐ No Action
- ☐ The Issuance of a Warrant
- ☐ The Issuance of a Summons
- ☒ The incorporation of the violation(s) contained in this petition with the other violations pending before the Court.
- ☒ Defendant to appear before the Judge assigned to the case.
- ☐ Defendant to appear before the Magistrate Judge.
- ☒ Other: ***All pending alleged violations will be addressed at the Revocation of Supervised Release Hearing set for 4/5/2023.***



Thomas O. Rice

United States District Judge

March 6, 2023

Date